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## **BILL NO. 2007-5**

ORDINANCE NO.	OR	DI	ŇĀ	N(	Œ	N	O.
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AN ORDINANCE TO ALLOW THE USE "ACCESSORY MASSAGE" AS AN ACCESSORY USE IN CERTAIN ZONING DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Larry Brown

Summary: Allows the use "accessory massage" as an accessory use in certain zoning districts.

AS FOLLOWS:

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to indicate that the use "Massage Establishment" is not permitted as an accessory use in the P-R, N-S, O and C-D Zoning Districts. In order to reflect the amendment, the row for the use "Massage Establishment" as it appears in the "Retail and Personal Services" element of the Land Use Tables is amended to read as follows:

USE	4 6.74	4.4		RESID	NTL	L,				bii. A	∵ ¢	ОММ	ERCL	Trans	100	INE	USTR	JAL
Aassage Stablishment	U R-A	R-E R-D	R-1	R-CL R	2 R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	0	C-D	C-1	C-2	С-РВ	С-М	М
Station Station								L		(A)	[A]	[A]	[A]	s	s	S	s	С
	Description:  A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. This use does not include the use "accessory massage," as defined in this Title.																	
	Conditional Use Regulations:																	
	1. The use shall comply with all applicable requirements of LVMC Title 6.																	
		2. The use must be located on a secondary thoroughfare or larger.																
	<ol> <li>The use may not be located within 400 feet of any church, synagogue, school, City park, child care facility, or any parcel zoned for residential use.</li> </ol>																	
·	4. The use may not be located within 1000 feet of any other massage establishment.																	
	5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m.																	
	Minimum Special Use Permit Requirements:																	
	1. The use shall comply with all applicable requirements of LVMC Title 6.																	
	2. The use must be located on a secondary thoroughfare or larger.																	
	3. The use may not be located within 400 feet of any church, synagogue, school, City park, child care facility, or any parcel zoned for residential use.																	
	4.	The u	se may	y not be lo	cated v	vithin	1000	feet of	any other	massag	ge estab	lishmer	nt.					
	5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m., unless further limited by the City Council on a case-by-case basis.																	
		Parking F	Requir	ement: 7	wo spa	ices f	or eac	h massa	ge room,	massag	ge table	or mas	sage ch	air, with	h a min	imum o	fsix spa	aces
	required																	

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SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to provide that the use "Accessory Massage" is permitted as an accessory use in the P-R, N-S, O, C-D, C-1, C-2, C-M and M Zoning Districts. In order to reflect the amendment, the Retail and Personal Services" element of the Land Use Tables is amended to add thereto a new row for the use, reading as follows:

USE					ÚŠ, S	RES	IDEI	NTIA	L	22				C	OMM	ERCI	۹L ۶	sinid	IND	USTF	RIAL
Massage, Accessory	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R A	N-S A	O A	C-D	C-1	C-2	C-PB	C-M	М
	Tr	ne pe 1. Is b c d e 2. D 3. Is	A file. A fall. A fall	esson esson nedica tness ountry otel v acility not oc adver	y to a al offi and y club vith m simil ecupy tised	princip ce or p health or gol nore that ar in na more on any	pal per center of couran or ature than of exter	ermitteral re er, irse cone hu to ar 150 serior s	ed us habili lubho ndreo ny of i squar signa	se thation tation buse; I room the fa e fee ge.	at is one n clinic; ms; or acilities t of spa	listed ab	ollowir		/hich i	s requir	red for	the pri	ncipal (	(s) est	on the

SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the use "Massage Establishment" to read as follows:

"Massage Establishment" means a facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. The term does not include the use "accessory massage," as defined in this Title.

SECTION 4: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding, at the appropriate place, a new definition for the term "Accessory Massage," to be listed for alphabetical purposes as "Massage, Accessory," reading as follows:

- "Massage, Accessory" means the performing of massage therapy or therapeutic massage that:
  - Is accessory to a principal permitted use that is one of the following:
    - (a) A medical office or physical rehabilitation clinic;

1	(b) A fitness and health center;
2	(c) A country club or golf course clubhouse;
3	(d) A hotel with more than one hundred rooms; or
4	(e) A facility similar in nature to any of the facilities listed above;
5	(2) Does not occupy more than one hundred fifty square feet of space; and
6	(3) Is not advertised on any exterior signage.
7	SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010
8	and 19.20.020 are deemed to be subchapters rather than sections.
9	SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
10	phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
1	ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
12	effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
13	City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
14	paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
15	subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
۱6	invalid or ineffective.
17	SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
18	sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
19	1983 Edition, in conflict herewith are hereby repealed.
20	PASSED, ADOPTED and APPROVED this day of, 2007.
21	APPROVED:
22	Ву
23	OSCAR B. GOODMAN, Mayor ATTEST:
24	711 100 t.
25	BARBARA JO RONEMUS, City Clerk
26	APPROVED AS TO FORM:
27	Valteel 1-23-07 Date
28	Date

1	The above and foregoing ordinance was first proposed and read by title to the City Council on the
2	day of, 2007, and referred to the following committee composed of
3	and for recommendation;
4	thereafter the said committee reported favorably on said ordinance on the day of
5	, 2007, which was a meeting of said Council; that at said
6	meeting, the proposed ordinance was read by title to the City Council
7	as first introduced and adopted by the following vote:
8	VOTING "AYE":
9	VOTING "NAY":
10	ABSENT:
11	
12	APPROVED:
13	
14	By OSCAR B. GOODMAN, Mayor
15	ATTEST:
16	ATTEST.
17	BARBARA JO RONEMUS, City Clerk
18	DAIGHA JO RONLINOS, Chy Cicik
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